Motion GRANTED.

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA	)	
	)	
	)	
v.	)	No. 3:08-00166
	)	JUDGE TRAUGER
	)	
KAI TYSHAWN DAVIS	)	

AMENDED MOTION FOR COURT TO MAKE RECOMMENDATION TO BUREAU OF PRISONS

Kai Tyshawn Davis, through counsel, moves this Honorable Court to recommend to the Bureau of Prisons, that Mr. Davis be allowed to participate in the Residential Drug Abuse Program (RDAP), for the following reasons:

The amended Presentence Report indicates that investigation by the United States Probation Office includes documentation that Mr. Davis continued to severely abuse alcohol up to July 2008, when he was arrested on this case. These facts support the conclusion that Mr. Davis was had a substance abuse disorder within a 12-month period prior to his arrest on the instant offense.

According to information on the Bureau of Prisons website, the RDAP is the Bureau's most intensive substance abuse treatment program. Moreover, research findings demonstrated that RDAP participants are significantly less likely to recidivate and less likely to relapse to drug use than non-participants. The studies also suggest that the Bureau's RDAPs make a significant difference in the lives of inmates following their release from custody and return to the community. It is undeniable that Mr. Davis would substantially benefit from this program.

For these reasons, and in consideration of the documented information contained in the amended pre-sentence report related to Kai Davis' substance abuse problem, it is requested that this motion be granted.

Assistant United States Attorney Brent A. Hannafan has no opposition to this motion

Respectfully submitted,

s/ *Mariah A. Wooten*
Mariah A. Wooten (BPR #006259)
First Assistant Federal Public Defender
810 Broadway, Suite 200
Nashville, TN 37203
615-736-5047
E-mail: mariah_wooten@fd.org

CERTIFICATE OF SERVICE

I hereby certify that on December 17, 2012, I electronically filed the foregoing Motion for Court to Make Recommendation to the Bureau of Prisons with the clerk of the court by using the CM/ECF system, which will send a Notice of Electronic Filing to Brent A. Hannafan, Assistant United States Attorney, 110 Ninth Avenue South, Suite A961, Nashville, TN 37203, and by electronic mail to Amanda Winfree, United States Probation Officer, United States Probation Office, A-725 United States Courthouse, Nashville, Tennessee 37203.

s/ *Mariah A. Wooten*
Mariah A. Wooten